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The Center of Civil Law Studies Newsletter

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Center of Civil Law Studies

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## LSU PAUL M. HEBERT LAW CENTER



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### ***The Russell Long Chair and CCLS Newsletter***

**July 2019 – No. 47**

#### ***Professor Michele Graziadei to Deliver the 42nd Tucker Lecture***

THE EUROPEAN COURT OF JUSTICE AT WORK:  
COMPARATIVE LAW ON STAGE AND BEHIND THE SCENES

Given by

**Professor Michele Graziadei**

University of Turin – Italy

**Thursday, September 5, 2019 at 12:40 p.m.**

Louisiana State University, Law Center

Robinson Courtroom, 201

*Reception to follow in the Student Lounge*

#### THE SPEAKER

Michele Graziadei is a full professor in the Department of Law at the *Università di Torino*, where he has been teaching comparative law since 2008.

Professor Graziadei graduated with a law degree (cum laude) from the *Università di Torino* in 1984. He began his career at the *Università di Trento* and taught civil and comparative law at the *Università dell'Insubria (Como)*, and at the *Università del Piemonte Orientale*, where he was the head of the law department. He has been a Visiting Professor at Cornell Law School, *Université Paris 2 Panthéon Assas*, *Université Jean Moulin Lyon 3*, *Université du Luxembourg*. He is a Past President of the European Association of Law Schools (ELFA), a Titular Member of the International Academy of Comparative law, and the President of the *Società italiana per la ricerca nel diritto comparato*. He has participated in several international and European research programs and is the author of over a hundred publications. His recent publications include:

COMPARATIVE PROPERTY LAW: GLOBAL PERSPECTIVES (M. Graziadei & L. Smith eds., 2018); PERSONAL AUTONOMY IN PLURAL SOCIETIES: A PRINCIPLE AND ITS PARADOXES (M-C. Foblets, M. Graziadei & A.D. Renteln eds., 2018).



## THE LECTURE

The European Court of Justice (ECJ) has often been hailed as an engine of European integration. Entrusted with the task of securing the uniform interpretation of the law of the European union—among other functions—the ECJ makes use of comparative law for a variety of purposes. The very composition of the Court and its peculiar linguistic regime make the Court a major comparative law laboratory. Under the Treaties, the Court is explicitly authorised to resort to comparative law as a method of judicial interpretation with regard to certain aspects of European law. But comparative law is an essential tool for the Court in several other contexts as well. This lecture will be the occasion to take a closer look at the role that comparative law plays in the development of the jurisprudence of the Court, and to showcase some salient applications of it. Quite often, the Court limits references to comparative law arguments to a few lines in its judgements. Nonetheless, comparisons that go far beyond the merely technical aspects of the law are part and parcel of the everyday business of the Court. Even when the language of comparative law is not overtly spoken, those comparisons define the ethos of the European union, and show how the Union sets out to challenge, and change, the laws of the member states.

## ***Announcing the Journal of Civil Law Studies, Volume 12***

Volume 12, Number 1, of the Journal of Civil Law Studies (2019) will feature four articles:

- From La Beauce to Le Bayou: A Transsystemic Voyage, by **Rosalie Jukier**
- French Jurisdictional Complexity on the Fringe – Acadia 1667-1710, by **Jacques Vanderlinden**
- Developing the Civil Law of Incorporeal Things, by **Richard Bethencourt & Aniceto Masferrer**
- The Impact of European Private Law Upon the Mixed Legal Systems of Cyprus, by **Nicholas Mouttotos**

The **Civil Law Translation** feature will showcase the bilingual Louisiana Civil Code (English and French) Book II, Titles 1 to 3. The **Civil Law in Louisiana** feature will include a case note and a legislative revision note.

## ***Prof. Moréteau Presents on Pierre Soulé***

On Thursday, April 25th, the Law Library of Louisiana and the Supreme Court of Louisiana Historical Society co-sponsored a free CLE program, *Pierre Soulé: Advocate of Liberty*, at the Louisiana Supreme Court. Professor Olivier Moréteau discussed the complicated and peripatetic life of French-born Pierre Soulé (1801-



1870), a New Orleans attorney and U.S. Senator from Louisiana who studied law in Paris and was imprisoned for a time for publishing revolutionary articles. He escaped to England and made his way to the United States via Haiti, eventually settling in New Orleans in 1825. Soulé was elected to the U.S. Senate in 1849 and took an appointment as U.S. Minister to Spain in 1853. He drafted the controversial Ostend Manifesto in his ministerial role, for which he was roundly criticized. Soulé resumed the practice of law in New Orleans after the controversy. Though opposed to secession, he abided by the decision of his state. He was arrested and imprisoned in Fort Lafayette, New York upon the Union capture of New Orleans. When he was paroled, Soulé fled to Boston, and then to the Bahamas. He travelled to Richmond, Virginia, to aid the Confederacy, and moved to Havana after the war. Soulé eventually returned to New Orleans, where he died.

Access the article by Tara Cunningham in [De Novo](#), Spring/Summer 2019, page 6.

## Summer Conferences in France

Professor Olivier Moréteau presented on *Two Centuries of Louisiana Translations, The Civil Law in English in the Making* (*Deux siècles de traductions louisianaises : le droit civil en anglais langue de spécialité*) at an international conference on *Law and Languages* (*Langues et langages juridiques, traduction et traductologie – didactique et pédagogie*), in Bordeaux, France, June 13-14, 2019.

Professor Olivier Moréteau was Professor Michel Séjean's special guest at an international and interdisciplinary symposium on *The Sea and the Seashore as Commons* (*Mer et littoral : un bien commun?*), organized by the University of South Brittany in Lorient and Vannes, 17-18 June, 2019. In Lorient, he presented on *Who Defines the Commons? Who is Liable and to Whom? Ethical and Legal Perspectives* (in French). The next day in Vannes, he discussed *Louisiana and Global Perspectives on the Ecology of Law* (also in French).

## Publication

Olivier Moréteau published *Le droit louisianais, un gombo qui s'offre en partage*, in *LA NOUVELLE-ORLÉANS 1718-2018, REGARDS SUR TROIS SIÈCLES D'HISTOIRE PARTAGÉE* 389-405 (Dominique Barjot, Denis Vialou eds., Académie des sciences d'outre-mer Paris 2019)



## Eight International Students Received the LSU LL.M. degree

Sofia Bentrari (France), Florencia Ibanez Bergeron (Argentina and U.S.A.), Gabriel Colombani (France), Sandrine Coutaud (France), Henri Haguët (France), Noémie Le Colleter (France), Nancy Alexandre Maurice (France) and Giovanna de Assis Barreira Silva (Brazil) were awarded the LL.M. in Comparative Law degree at the LSU Law Commencement ceremony on May 24, 2019.

